

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT MICHIGAN**

MALIBU MEDIA, LLC,)	
)	
Plaintiff,)	Case No.2:19-cv-10559-VAR-EAS
)	
v.)	
)	
MATT PRIGORAC)	
)	
Defendant.)	
)	

DEFAULT AND MONEY JUDGMENT AND PERMANENT INJUNCTION
AGAINST MATT PRIGORAC

THIS MATTER is before the Court on Plaintiff's Motion for Entry of Default Judgment Against Defendant Matt Prigorac ("Motion"). After considering the Motion, the Court finds:

1. The address of Plaintiff is:

30700 Russell Ranch Road, Suite 250
Westlake Village, CA, 91362

The name and address of Defendant is:

Matt Prigorac
1214 Lakepointe Street
Grosse Pointe Park, MI 48230

2. The Court has subject matter jurisdiction of the case and parties.
3. Venue is proper in this District.
4. The Amended Complaint states claims for direct copyright infringement, in violation of 17 U.S.C. § 101, and contributory copyright infringement upon

which relief may be granted against Defendant.

5. Defendant has failed to plead or otherwise defend against Plaintiff's Amended Complaint.
6. A Certificate of Default was issued as to Defendant on August 5, 2019.
7. Defendant is not a minor, incompetent person or in active military service.
8. By reason of default, Defendant has admitted the truth of the allegations in Plaintiff's Amended Complaint.
9. Under Count I of the Amended Complaint, Defendant is found liable to Plaintiff for willfully committing direct copyright infringement.
10. Defendant will continue to cause Plaintiff irreparable injury. Specifically, there is an existing threat of continued violations of Plaintiff's exclusive rights to reproduce, distribute, perform and display the 10 copyrighted works listed on Exhibit A (the "Works") through Defendant's use of the BitTorrent protocol to upload and download the Works between and among peer users without authorization from Plaintiff.
11. There will be no injury to Defendant caused by entry of a permanent injunction requiring Defendant to cease infringing Plaintiff's Works.
12. Entry of a permanent injunction against Defendant is in the public interest because it "preserv[es] the integrity of copyright laws which encourage individual effort and creativity by granting valuable enforceable rights."

DSC Communications Corp. v. DGI Technologies, 898 F. Supp. 1183, 1196 (N.D. Tex. 1995).

13. In accordance with Rule 65(d), Federal Rules of Civil Procedure, this Default Judgment is binding upon Defendant and all others in active concert or participation with Defendant who receives actual notice of this Default Judgment.

14. Plaintiff submitted a Declaration demonstrating that Plaintiff expended a total of \$555.90 in costs. The Court finds this amount is reasonable.

Accordingly;

Defendant Matt Prigorac:

- a) must pay plaintiff \$15,000.00 in statutory damages, as authorized under 17 U.S.C. § 504(c)(1), and \$555.90 for costs, as authorized under 17 U.S.C. § 505, for a total of \$15,555.90, all for which let execution issue forthwith;
- b) must pay to Plaintiff post-judgment interest at the current legal rate allowed and accruing under 28 U.S.C. § 1961 as of the date of this Default Judgment until the date of its satisfaction;
- c) is enjoined from directly, contributorily or indirectly infringing Plaintiff's rights under federal or state law in the Works, including, without limitation, by using the internet, BitTorrent or any other online media distribution system to reproduce (e.g., download) or distribute the Works, or to make the

Works available for distribution to the public, except pursuant to a lawful license or with the express authority or Plaintiff; and

d) is ordered to destroy all copies of Plaintiff's works that Matt Prigorac downloaded onto any computer hard drive or server without Plaintiff's authorization, and must destroy all copies of the Works transferred onto any physical medium or device in Matt Prigorac's possession, custody, or control.

The Court retains jurisdiction for six months or until the judgment is satisfied to entertain such further proceedings supplementary and to enter any orders as may be necessary or appropriate to implement and enforce the provisions of this Default Judgment.

Defendant John Doe is DISMISSED; he is not a named Defendant in the Amended Complaint.

ORDERED.

s/ Victoria A. Roberts

Victoria A. Roberts

UNITED STATES DISTRICT JUDGE

Dated: 12/3/19